

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF VIRGINIA
 Harrisonburg Division

3 *****

4 PRISON LEGAL NEWS, a project of the
5 HUMAN RIGHTS DEFENSE CENTER,
6 Plaintiff,

7 -vs-

Case No. 5:15CV00061

8 NORTHWEST REGIONAL JAIL
9 AUTHORITY, et al.,
10 Defendants.

11 *****

12 DEPOSITION OF CLAY A. CORBIN

13 11:58 a.m. to 12:22 p.m.

14 November 30, 2016

15 Winchester, Virginia

16

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22

23

24 Job No. 32111

25

REPORTED BY: Shawna Hum Browne, RMR, CRR



COPY

1 Deposition of CLAY A. CORBIN, taken and
2 transcribed on behalf of the Plaintiff, by and before
3 Shawna Hum Browne, RMR, CRR, Notary Public in and for the
4 Commonwealth of Virginia at large, pursuant to the Rules
5 of the Supreme Court of Virginia and by Notice to Take
6 Deposition; commencing at 11:58 a.m., November 30, 2016,
7 at Northwestern Regional Jail, 141 Fort Collier Road,
8 Winchester, Virginia.

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11 APPEARANCES OF COUNSEL:

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14 I N D E X

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16 WITNESS: CLAY A. CORBIN

17 Examination by Mr. Fogel.....4

18

19

20 E X H I B I T S

21 (None)

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1 (11:58 a.m., November 30, 2016)

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CLAY A. CORBIN,

4

was sworn and testified as follows:

5

E X A M I N A T I O N

6

BY MR. FOGEL:

7

Q. Mr. Corbin, as you know, my name is Jeff

8

Fogel, and I represent the plaintiff, Prison Legal

9

News, in this lawsuit.

10

A. Yes, sir.

11

Q. And have you been deposed before?

12

A. No, sir.

13

Q. You heard my description of the

14

procedures --

15

A. Yes, sir.

16

Q. -- to the superintendent?

17

A. Yes, sir.

18

Q. Did you listen to all of them?

19

A. Yes, sir.

20

Q. Do you have any questions?

21

A. No, sir.

22

Q. Okay. So we can just proceed.

23

A. Yes, sir.

24

Q. And let's make this as quickly as we can for

25

both of our sakes.

1 A. Yes, sir.

2 Q. For all of our sakes, rather.

3 Was there anything that the superintendent
4 said that you disagreed with?

5 A. The only thing I said I wasn't 100 percent
6 sure if it was exactly communicated with the religious
7 material during what we call the "change." It didn't
8 freely come from the street, so it wasn't different
9 than other books.

10 Q. You'd have to explain what you mean by that.

11 A. The religious material was vetted by our --

12 Q. Chaplain?

13 A. -- Mr. Ransom. Yes, sir.

14 Q. Right.

15 A. Yeah. No one just sent something from the
16 street that we wouldn't know about.

17 Q. Right.

18 A. Maybe I misunderstood.

19 Q. No. I think I understood that --

20 A. Okay. That's my fault.

21 Q. -- both from your policy and from the --

22 A. Because we kept the same security concerns,
23 from my point of view, in security with religious
24 material because it's across the board.

25 Q. So that security concern was both with

1 respect to physical concerns about what contraband may
2 be hidden, correct?

3 A. Yes, sir.

4 Q. As well as content?

5 A. Yes, sir.

6 Q. That in fact it was a religious book?

7 A. Yes, sir.

8 Q. And didn't have prohibited content in it?

9 A. Yes, sir.

10 Q. Okay. Was there any other concerns about
11 them, about the religious books?

12 A. Not the religious books themselves. I don't
13 know if that's one of the questions.

14 But one of the things that wasn't really
15 highlighted but was one of my big concerns when we
16 first started this, and I got the feedback from all the
17 teams -- there's four teams that run the jail. Of
18 course, before being promoted, I was on one of the
19 teams, running the team. But it was taking kind of an
20 exorbitant amount of time going through all this stuff.

21 Q. "Stuff." You're referring to?

22 A. The publishings, you know, the magazines.
23 They have to be completely vetted, all the other
24 publishings and the packages and all that stuff. The
25 more time it takes, it kind of has a penological

1 interest because then it pulls away from other things
2 that's going on.

3 Q. Right.

4 A. And the teams were saying, you know, on the
5 weekends and the holidays that aren't observed
6 nationally, they're tasked with going through this
7 stuff.

8 Q. Right.

9 A. And then even with the magazines and books
10 as a safety measure, we usually go through it again
11 because twice is better than once.

12 Q. Right.

13 A. And they're the ones back there living in
14 there with the inmates, so they want to make sure
15 everything's good, and so they were having to vet
16 everything themselves too. So, you know, they had come
17 to me about how much time it's been taking. And, you
18 know, they mentioned during shakedowns they're taking a
19 lot of stuff. Doing daily cell inspections, it was
20 requiring, you know, a lot more intensive time, which
21 pulls away from something else. And then just the
22 concern that as you get more stuff like that, the
23 other -- the contraband things.

24 A couple things with a magazine that can be
25 done is the bigger magazines that I've seen throughout

1 my 17 years is you roll it up and use it as a piece of
2 weight equipment because you tie something to it. Or
3 you wet it and roll it up, and it's hard like a club.

4 Q. Right.

5 A. So those were the big things for me when I
6 approached the superintendent at a command staff
7 meeting, and I just had said, "Are there any
8 suggestions?" Or what -- you know, what can be done
9 with this or -- if anything?

10 Q. Did you have any experience with magazines
11 getting soaked with water and being used as a club?

12 A. Over 17 years, either as an officer or as a
13 supervisor, I've encountered that, yes, sir.

14 Q. How long have you --

15 A. More so with the weight equipment.

16 Q. I would imagine so.

17 How many years have you been employed here
18 at the Northwest Regional Detention Center?

19 A. About 15 1/2 years, sir.

20 Q. And did you start out as a correctional
21 officer?

22 A. Yes, sir.

23 Q. And moved up through the years to captain?

24 A. Yes, sir.

25 Q. Do you report directly to the

1 superintendent?

2 A. Yes, sir.

3 Q. There are no higher ranking officers than
4 captain?

5 A. No, sir.

6 Q. Okay. And I think -- did you work as a
7 correctional officer before you were working here?

8 A. Yes, sir. In West Virginia system.

9 Q. In the what?

10 A. West Virginia Regional Jail System. Out of
11 college I went there.

12 Q. And did you -- you go to college in criminal
13 justice or anything like that?

14 A. My bachelor's was political science with --
15 (Reporter asked for clarification.)

16 THE WITNESS: Emphasis in criminal justice.
17 Sorry, ma'am.

18 MR. FRANCUZENKO: You do have to slow down
19 just a little bit. Take a breath.

20 THE WITNESS: I have a tendency of talking
21 fast.

22 MR. FRANCUZENKO: Take a breath and slow
23 down.

24 THE WITNESS: My master's was from the
25 University of Cincinnati in criminal justice/public

1 administration.

2 MR. FOGEL: Of course, you know I'm from New
3 York, so it doesn't bother me. Early in my career they
4 just used to tell me, because I worked -- went to New
5 Jersey -- "Stop."

6 MR. FRANCUZENKO: Right. But you've been in
7 Charlottesville long enough where you've slowed down.

8 MR. FOGEL: Well, I've also gotten a little
9 older than what I was at the time.

10 BY MR. FOGEL:

11 Q. Now, for example, you talked about the
12 additional resources that would have to be applied both
13 to reviewing periodicals, books, and magazines as they
14 came in. And I take it that would also be applicable
15 in the context of cell searches would take longer as
16 well?

17 A. Yes, sir.

18 Q. Okay. Having visitors come to the jail also
19 takes resources away from security, doesn't it?

20 A. Yes, sir.

21 Q. But you have visitors.

22 A. Yes, sir.

23 Q. And you think you should have visitors,
24 don't you?

25 A. Yes, sir.

1 Q. You think that's important for prisoners?

2 A. Yes, sir.

3 Q. Do you think it's important for prisoners
4 also to have reading material?

5 A. Yes, sir.

6 Q. But I take it you feel that you adequately
7 compensated for that when you had the material on a
8 cart and available for distribution?

9 A. One of the things I looked at too was
10 beforehand -- we have about 32 sections. We had one
11 cart that went through the entire place. So it was
12 very raggedy, so to speak. When we implemented this,
13 we bought over a thousand books; we bought carts.
14 Every section had their cart. Every -- we started out
15 every six to eight weeks. We massaged that down to
16 every 30 days they got redone. We had carts for the
17 females, carts for the males, different content.

18 And the superintendent kind of alluded to
19 it. We actually even -- a lot of the inmates who had
20 never had access to that, they had more access because
21 they didn't have the financial means to do that.

22 One of the things I continued to do during
23 this process was allow college correspondence. And I
24 allowed that because it's good for them to further
25 their education. But it all went through me because

1 you never had a whole lot. We had, you know, like
2 three, four, five inmates. The correspondence would
3 come to me. I would vet it. I would stamp it. I
4 would give it to them. When they were done with it,
5 they gave that back to me. I would give them the next
6 one. So, you know, we still try to let them be -- have
7 access to as much as possible, so ...

8 Q. What's happened to the carts?

9 A. They're still in play.

10 Q. Oh, so you're still circulating books?

11 A. Yes, sir. We won't stop that.

12 Q. Magazines, particularly for indigents. And
13 these would all be in the dayroom?

14 A. Yes, sir.

15 And one of the prerequisites to that was --
16 at the time was, you know, the magazines weren't to all
17 go to the cells because then a lot of times you lose
18 them. They were to read them in the dayrooms. So that
19 also helped the cell searches and shakedowns. They
20 weren't being left in the cells all the time. They
21 would get them, put them back in that fashion, so ...

22 Q. You don't have a library I take it?

23 A. We have an inmate worker who organizes the
24 library. And then we have the classification sergeant
25 oversees the purchasing and the organization and that

1 stuff with the library.

2 Q. And who chose the books for the carts?

3 A. Some of it I used input.

4 Q. From whom?

5 A. From inmates. And even with the magazines
6 sometimes, if I get a whole bunch of requests from them
7 saying I really prefer this magazine, we kind of look
8 at it.

9 Q. Sorry. I don't want to tell you what to do.
10 I'm just -- for the court reporter.

11 A. Yeah. We would kind of look at it and see.
12 You know, we would even get like People in español
13 because we didn't want to leave anybody out, or if we
14 got other requests of that nature. But book-wise, we
15 try to cover as many genres as we could.

16 Q. And who made those selections, then?

17 A. Well, to my knowledge, when the
18 classification sergeant would order, some things would
19 be packages. It would supposedly have different stuff
20 in it. But it would be the classification sergeant
21 mainly.

22 Q. Did you approve of the books?

23 A. The purchasing of the books, yes, sir. I
24 didn't see each title, so I don't know.

25 Q. You were relying on the classification

1 officer to approve each title?

2 A. Sergeant. Yes, sir.

3 Q. The sergeant?

4 A. Yes, sir.

5 Q. And for the content as well?

6 A. Yes, sir.

7 Q. Well, how many books did you have prior
8 to --

9 A. To begin with?

10 Q. -- February?

11 A. We probably still had a good many, but a lot
12 of them hadn't been updated. A lot of them were kind
13 of worn. So that was the other thing was to purchase
14 new. I'd say maybe we had around like 400 to start
15 with.

16 Q. And after February of '14, how many did you
17 have approximately?

18 A. I know we ordered over a thousand, so I
19 would say closer to 2,000 by that time.

20 Q. And where did you purchase them from?

21 A. I would have to ask her, sir. She did all
22 the purchase recs, which we have.

23 Q. And did somebody go through each one of
24 those books for content?

25 A. I know each book was went through for hard

1 security issues. But sir, I can't say that it was went
2 through for content.

3 Q. When you say "hard security issues," you
4 mean each book was reviewed page by page to see whether
5 anything was inserted?

6 A. Flipped through, sir --

7 Q. Just for the --

8 A. -- just to see, and they're softback.

9 Q. Okay.

10 A. I'll give you -- kind of one example is
11 since we went back to this policy, it was in hindsight
12 found out to be an honest issue, mistake. Someone had
13 ordered a used book, and someone else had put stuff in
14 the book as they had it. And came in and had a
15 Polaroid, which I didn't know Polaroids were, you know.
16 But that's a big thing in corrections because you can
17 peel the Polaroids off and hide stuff in them.

18 But, you know, at first you get a Polaroid
19 and it's of a female, you're concerned where did the
20 book come from? Is there something else in there? But
21 through investigation, we found out it was just
22 returned that way. It was honest. That's the reason
23 we went through just to make sure something wasn't
24 missed.

25 Q. And when was that? Was that prior to

1 February of 2014?

2 A. This was actually since we've done the
3 change. When I say "change" is since after the court
4 injunction. Basically what we called it.

5 Q. And you allowed somebody to order a used
6 book?

7 A. Yes, sir.

8 Q. From whom?

9 A. It wasn't anything like we actually set up
10 and said you could do it. It just came in, and it came
11 in with a used tag on it. But once I looked at it, and
12 it was okay. It came from a publisher, which we
13 verified. You know, I called them, but yeah.

14 My thing with -- I know we keep saying
15 "censorship." Language and stuff, I don't censor that.
16 I mean, that's not my -- you read a Steven King book or
17 get anything like that, you're going to have language,
18 and they're adults. I just looked for the pornographic
19 side of it.

20 Q. Right. In terms of pictures?

21 A. Yes, sir. Pictures. That was -- I can't
22 say how they vet it now, but that was my thing because
23 I like books, and I think they serve a great purpose,
24 so it comes as it comes. But that was the only thing
25 that would really ever concern me would be pictures.

1 If it was some book that was way far out there that was
2 specifically trying to incite something, I may have a
3 concern, but I've never ran into that. But that -- in
4 terms of censorship, that's kind of how my view at the
5 time was.

6 Q. And what about magazines?

7 A. Magazines, what we looked at was basically
8 really the same thing, was pictures. But even before
9 this policy, the original thing, we had a disapproved
10 list and an approved list. Once in a while a magazine
11 like Maxim may have an article, and it would be very
12 unusual, like how to escape from a correctional
13 facility. Probably meant in jest, but that's something
14 we wouldn't have allowed because that's directly
15 enticing, you know, a riot condition or a security
16 breach. So that would be the only thing we would look
17 at with those. But other than that, there wasn't very
18 much censorship on what magazines we would allow.

19 Q. How about now? Do you have an approved and
20 disapproved list of magazines?

21 A. I believe they do. I mean, I've been out of
22 that for eight months. I believe they still do.

23 Q. And who put together that list?

24 A. It's maintained by the captain of security
25 and also by his or her designee, the lieutenant of

1 security and operations.

2 Q. Okay. But that's -- my question is, who put
3 together the list? You say it's maintained by them.

4 A. Well, the captain of security determines if
5 a magazine's disapproved. But it's so rare I don't
6 even know now what --

7 Q. Did you have any experience with doing so
8 yourself?

9 A. I never had to disapprove any, sir, during
10 my --

11 Q. Any magazine?

12 A. No, sir.

13 Q. And you didn't get pornographic magazines
14 sent to prisoners prior to 2014?

15 A. None that came to my desk, sir.

16 I do know since we've had it, there's been a
17 couple magazines -- and I can't tell you the exact
18 name, but it's on record. Lieutenant Ridley, who's the
19 lieutenant for Captain Saville, who now has my former
20 position, he got a magazine in, and it was very
21 revealing. So I do know it was disallowed or
22 disapproved. So I do know that one for a fact.

23 Q. And there is such a list?

24 A. I believe so, sir, yes.

25 Q. Okay. Was there such a list when you were

1 the captain for security?

2 A. When I first took over, yes, sir.

3 Q. And --

4 A. But it became this very long run-on thing.

5 It was page after page. I don't even know how you

6 would go through it. I don't even know how you would

7 maintain it. Stuff would get lost on it, I mean, maybe

8 this issue. It's like I mentioned, Maxim. Maybe it's

9 an okay magazine, but this issue was disallowed. If

10 you didn't keep going back, it didn't seem like it was

11 something that worked doing it that way, so I just took

12 it magazine by magazine.

13 Q. When did you leave your position as the

14 security chief?

15 A. This May, May like 16th of 2016.

16 Q. And how long had you been the security

17 chief?

18 A. Almost three -- about two and a half years.

19 Q. And what was your position immediately

20 before that?

21 A. I was lieutenant of a team, watch commander.

22 Q. So you were elevated by the current

23 superintendent --

24 A. Yes, sir.

25 Q. -- to that position?

1 A. Yes, sir.

2 Q. And I take it you got a promotion to captain
3 at that time?

4 A. Yes, sir.

5 Q. And your position now is?

6 A. Captain of community corrections.

7 Q. And what does that entail very briefly?

8 A. All programming, work release, community
9 inmate workforce.

10 Q. Okay. Prior to February 2014, how many
11 books was a prisoner allowed to have in his or her
12 cell?

13 A. We generally allow no more than five.

14 Q. Books?

15 A. Yes, sir.

16 Q. And would that include religious books and
17 educational books, or were they separate from that?

18 A. They were generally separate.

19 Q. Okay. And how many would you be allowed of
20 religious books?

21 A. I don't know that specific policy beforehand
22 because I don't think we ever really ran into anyone
23 having multiple religious books that created an issue.

24 Q. And how about educational books, which you
25 were responsible for?

1 A. Yeah. I kept it under the same guise. You
2 know, we were allowing two books. I didn't count -- I
3 counted them as additional.

4 Q. Right.

5 A. But I would never give them more than two at
6 a time. That's why I kept them. And then they would
7 give them back to me, and I'd switch them out once they
8 completed the course.

9 Q. So theoretically, people could have at least
10 eight books at that time?

11 A. Yes, sir.

12 Q. Five books, one religious book at least
13 perhaps?

14 A. Yes, sir.

15 Q. And two educational books?

16 A. Yes, sir.

17 Q. That would be the maximum?

18 A. Yes, sir.

19 Q. And what about magazines?

20 A. Did you -- just let me make sure I was
21 understanding because I was talking to you. Are we
22 talking about pre-2014 February?

23 Q. Yeah.

24 A. I don't know that we had any restriction on
25 magazines. We could very well have but --

1 Q. On the numbers?

2 A. Yes, sir. I'm not sure we did, but I can't
3 say.

4 Q. Do you recall how many prisoners,
5 approximately again, had subscriptions to magazines
6 prior to February 2014?

7 A. No, sir. I mean, I would say a significant
8 amount, but I don't know the ...

9 Q. And newspapers, people were allowed to
10 subscribe to newspapers, were they not?

11 A. Yes, sir. It's far less. But you know, in
12 an average housing unit, I'd say like five or seven
13 inmates out of a housing unit of, say, 60.

14 Q. But that's a daily publication, correct?

15 A. Yes, sir. I guess some are. Some are
16 weekly.

17 Q. With respect to the daily publications, how
18 many would you allow them to keep; do you know?

19 A. You mean of a specific magazine -- I mean
20 specific newspaper?

21 Q. Yes.

22 A. One of the things I think we looked at was
23 they couldn't accumulate them for more than three days.

24 Q. The newspapers?

25 A. Yes, sir.

1 Q. But there was no such restriction on
2 magazines?

3 A. No, sir.

4 Q. They could keep a whole year's --

5 A. Prior to, yes, sir.

6 Q. Did that fact present a problem for you,
7 that you -- of what you allowed prisoners to have?
8 Prior again to February '14.

9 A. That's kind of -- I think from what you're
10 saying, that's kind of what I was getting at with the
11 cell inspections and the shakedowns. It became hard to
12 do a thorough cell inspection, which is a lot different
13 than a shakedown. That's just a quick walk-through,
14 browse. And then the shakedown is when we actually go
15 through everything, and that's the two places I saw it
16 affect most, storage.

17 Q. But that policy had been in effect when you
18 first came here?

19 A. Yes, sir.

20 Q. The policy that existed prior to
21 February 2014?

22 A. Yes, sir.

23 Q. So you had been here some 13 years with that
24 policy in place?

25 A. Yes, sir.

1 Q. Did things change that made you feel that
2 this was now a burden that it wasn't?

3 A. Absolutely. When I came here, there was 325
4 inmates.

5 Q. Right.

6 A. Now there's 700. So that's twice as much.

7 Q. Right.

8 A. In the same space, that's twice as much
9 material.

10 Q. Right. And you've doubled your staff, I
11 take it?

12 A. To me, my opinion was it seemed like there's
13 just more magazines in general in society. But it
14 seems like there was more magazines coming in. I don't
15 know the reason for that, but it seemed like we were
16 getting more magazines.

17 Q. I take it you about doubled your staff
18 during that period of time as well?

19 A. I'd say it's -- we haven't really doubled.
20 To my knowledge, we're still always kind of
21 understaffed from the DOC surveys.

22 Q. Right.

23 A. So we just kind of learned to be more
24 efficient and do with what we can.

25 Q. So you worked as a correctional officer,

1 correct?

2 A. Yes, sir.

3 Q. And you had some responsibility for
4 distributing mail, including newspapers, magazines, and
5 books, correct?

6 A. Yes, sir.

7 Q. So they would be presented to you. I guess
8 you might be a wing officer. I'm not sure how they
9 characterize it here. Like a wing officer?

10 A. Security officer, yeah. You're the rover.

11 Q. And they would be presented to you by the
12 secretarial staff for the prisoners in your -- within
13 your supervision?

14 A. The way they -- I don't think it's really
15 ever changed over the years. The format's always been
16 they go through it during the day. We hold roll call
17 next door, and it's setting out by the housing unit.
18 So if I was working housing unit 2AB, at the end of
19 roll call, I would go up and get my 2AB material.

20 Q. Were any of those materials opened with the
21 letters, magazines?

22 A. Prior to?

23 Q. Yes. Prior to 2014.

24 A. I mean, prior to me dispensing them, no,
25 sir.

1 Q. Oh, I see. Yeah, that was really my
2 question. Thank you.

3 A. No, sir. They were never opened.

4 Q. So you would open the letters?

5 A. Yes, sir.

6 Q. And you never looked at them for content.

7 A. No, sir. Other than just to see, was
8 something unusual in appearance?

9 Q. Just physically unusual?

10 A. Yes, sir.

11 Q. And same thing for magazines, newspapers,
12 and books?

13 A. Yes, sir. I just quickly leaf through it.

14 Q. To see whether there was anything inside?

15 A. Yes, sir.

16 Q. But you did have to look at it for content,
17 didn't you?

18 A. That was kind of what I was -- I was leafing
19 through it for pictures or whatever, but yes, sir.

20 Q. So that wasn't a major concern?

21 A. No, sir.

22 Q. At that time.

23 Did you agree with the superintendent that
24 the problem with drugs became increasingly problematic
25 for the detention center?

1 A. Yes, sir. The nature of it and the means of
2 getting it in has definitely changed over the --

3 Q. Were you aware of any books, magazines, or
4 newspapers that came from the publisher or distributor
5 that contained contraband?

6 A. Directly from the publisher, no, sir. But
7 he is correct when he mentions some people have tried
8 to duplicate the appearance of it coming from the
9 manufacturer, which would have created an issue. But
10 any direct experience with that here, none that I could
11 say.

12 Q. Okay. Since the policy -- since we were in
13 court and the policy changed again -- and that would
14 have been this year, let's just call it 2016 -- how
15 many books are prisoners allowed to have in their cell?

16 A. We started out with two, but we've actually
17 changed it to three because once we ironed out the
18 kinks because there's a lot of procedural stuff that
19 come along with this change. We got comfortable with
20 that, then we've upped it to three.

21 And that doesn't count if you have a program
22 book, like from one of the internal programs we do.
23 That doesn't count that, so it doesn't take away from
24 that.

25 Q. So that's the educational books you referred

1 to?

2 A. Yes, sir. Well, you know, educational is
3 two things. It can be the internal program they're
4 doing, but it could be college correspondence too.

5 Q. And I take it that the religious books are
6 also outside that limitation, three books?

7 A. Yes, sir.

8 Q. I was going to make a bad joke about -- and
9 I'm going to do it, about you were "ironing out the
10 kinks."

11 A. Yes, sir.

12 Q. And I thought you didn't allow music in
13 here.

14 A. Radios.

15 Q. I don't know whether you're old enough to
16 remember The Kinks?

17 A. I've heard of the name.

18 Q. Popular group from England just after The
19 Beatles.

20 What about magazines since 2016? How many
21 magazines do you allow?

22 A. It's went to -- we have a three and five
23 policy. Three books, five magazines.

24 Q. At a time?

25 A. Yes, sir. And we still have the magazines

1 on the book cart too.

2 Q. Right. And newspapers, is it the same as it
3 was --

4 A. Yes, sir.

5 Q. -- three days?

6 A. Yes, sir.

7 Q. Since 2016 and the most recent change, have
8 you seen any problem with allowing books into cells?

9 A. No, sir. It's been pretty smooth.

10 Q. And magazines?

11 A. Yes, sir.

12 Q. And newspapers?

13 A. Yes, sir.

14 Q. And do you still feel that there's a problem
15 with resources having to be applied to this process of
16 reviewing them or doing either cursory or full searches
17 of cells?

18 A. It takes more work, but it's a good thing
19 because I feel like we have more control over now than
20 what we did. So it serves us and the inmates, I think,
21 so that more work is warranted.

22 Q. I'm trying to remember whether there was
23 anything else that the superintendent pointed to you at
24 and said --

25 A. I know the book question.

1 MR. FRANCUZENKO: Don't worry. Don't do his
2 job.

3 BY MR. FOGEL:

4 Q. Do you recall? I can ask him if he recalls
5 that the superintendent pointed to you and said, "You
6 would know better than me."

7 A. No, sir. That was the main thing.

8 MR. FOGEL: I have no further questions.
9 Thank you very much.

10 MR. FRANCUZENKO: I have no questions.

11 We'll read.

12 (Deposition concluded at 12:22 p.m.)

13 (Signature reserved.)

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1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Shawna Hum Browne, RMR, CRR, Notary Public in
3 and for the Commonwealth of Virginia at Large, and whose
4 commission expires on August 31, 2018, do certify that the
5 aforementioned appeared before me, was sworn by me, and
6 was thereupon examined by counsel; and that the foregoing
7 is a true, correct, and full transcript of the testimony
8 adduced.

9 I further certify that I am neither related to nor
10 associated with any counsel or party to this proceeding,
11 nor otherwise interested in the event thereof.

12 Given under my hand and notarial seal at
13 Charlottesville, Virginia, this 3rd day of December, 2016.

14

15

16

17

18

19

20

21 _____
Shawna Hum Browne, RMR, CRR

22 Notary Public Registration No. 302535

23 Commonwealth of Virginia at Large

24

25 Job No. 32111

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